

Weekly Register

Terms, \$2 a year in Advance, or \$2.50 at end of the Year.

GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, : : : October 1, 1874.

Democratic and Conservative TICKET.

Election Second Tuesday in October.

For Congress—3d District,
FRANK HEREFORD.
For Senator—5th District,
THOMAS FERRELL.
For House of Delegates,
EDMUND SEIXON.
JOHN A. McCULLOCH.

The Hon. Thomas Ferrell.

The above named gentleman has been selected according to our party usages as our standard bearer in this Senatorial District. A Virginian by birth, he many years ago sought for himself a home among the deep wild forest of what is now Roane County, and by his unflinching energy and force of native intellect, he stands to-day in the foremost ranks of the graziers and cattle dealers of that fast improving young county. When you meet him you meet a broad-shouldered, broad-headed, generous gentleman, a fine specimen of the West Virginia farmer.

Compelled to hew out his own home from the West Virginia forests, he has not received that degree of polish and education which others more fortunate have taken to him, but his quick and vigorous mind has enabled him to glean enough in his leisure hours to make him a man of liberal education.

A member of the late Constitutional Convention he served his constituents with such satisfaction as to make him not only their choice, but the choice of the Democracy of this District for the office of State Senator.

A Democrat of the old school, he knows no middle ground, and should he be elected his voice will ever be heard at the right time and in the right place, and when called on to name the next U. S. Senator we may rest assured that no advocate of negro equality will receive his support.

Farmers of this Senatorial District, remember in casting your votes that the interests of Thomas Ferrell are closely identified with yours; that he won his home as many of you have done, with ax and brand, from the trackless forests; that he is no land grabber, and has not, as his opponent, J. L. McLean, sought to oust any one from his little home that he has cleared for himself and family. Will you then vote for McLean who has made many a mountain home dark and cheerless by his greed for speculation? Will you place him in a position to enact laws, to enable him to hold your lands which he now claims? Will you place him where he can, and will vote for a United States Senator who will favor the infamous Civil Rights bill and negro superiority?

Or will you vote for the Hon. Thomas Ferrell, of Roane, whose every interest and sympathy is closely allied with yours?

Nominations.

The Marion County Democrats have nominated Ulysses N. Arnett for the Senate and A. Brooks Fleming and Alpheus Pritchard for the House of Delegates.

The Senatorial Convention which met on the 11th ult., at Petersburg, Grant county, nominated W. C. Clayton of the New Creek Tribune for that District.

Ohio county nominates for the House of Delegates J. H. Good, Robert Simpson, Lewis S. Jordan, and Joseph W. Morgan. Good and Jordan are young and promising lawyers of Wheeling, Simpson is a widely known and successful young merchant of that place, and Morgan represents the Farmer's interests.

If Mr. Hall desires a personal newspaper controversy, he can have it. We are ready. If he does not, then he must keep his hiring of the Journal within the bounds of honorable journalism.

Every Democratic voter should go to the polls and vote on the 13th day of October. Stay at home Democrats on that day might possibly give the election to the Radicals. As strange things as that have happened. Keep up a full vote of the party.

Good schools are now provided by law for the education of colored children. The Radicals do not like this. They want no separate schools for the negroes, but wish to place them in the same schools with white children. Let every white voter remember this, when he goes to the polls to deposit his vote.

Allen Cincinnati Mason, the so-called editor of the Mason County Journal—the most extreme negro equality sheet published outside of the New England States—not being able to find anything against our candidates, devotes considerable space to the editor of this paper. He quotes from the Register of 1863-70 to show what we then said in regard to Mr. Hereford. If he had went a little further back he might have seen what we said, and what was then our opinion of Mr. Hall, his candidate for Congress, who was at that time a Republican as well as himself. Let this hiring editor of John Hall, publish from old copies of the Register—about '62, '63, '64, and even in '68 and '70, and he will find "what we said about Hall." We opposed him then, when he was a Republican. We oppose him now when he claims to be a Democrat, who has sold out body and soul to the Radical party. We always will oppose placing John Hall in any political office of honor and trust. Should the Democratic party ever so far forget itself as to nominate him for any office, we will take special pleasure and delight in bolting such nomination, and in using all honorable means in securing his defeat at the polls.

Examine his (McLean's) business record, does the building of a public highway at a cost to himself of \$20,000 look like progress?—Mason County Journal.

In the first place McLean never has spent \$20,000 on a public highway in this State, and in the second place if he has spent that amount he and not the public received the benefit. The tract of land that the public highway referred to runs through, was a vast wilderness, and for the convenience of McLean, and with the hope of selling his lands and getting out lumber the road was built. He, as it is well known, is a land speculator. His road building was a necessity to him just as it is to many land holders in this county. They build roads through their lands for the benefit of their tenants and to get out their lumber, and they don't make any fuss about it either, or ask people to elect them to an office because of it.

Lewis Bumgarner is a political weathercock. In 1867 he promised to be a good Democrat if the Democrats would give him an office, and that he would bring a good many of the U. B. Church with him. He sold out the Republicans for the office of Justice of Graham township. He afterwards was nominated as the Democratic candidate for the State Senate and accepted the nomination, but was defeated by D. H. K. Dix. We worked against Bumgarner then, and we work against him now. The hiring of the Mason County Journal was bitterly opposed to Bumgarner then, but now earnestly endorses him. The hiring and Bumgarner are a pretty pair indeed.

The Mason County Journal advocates John Hall's election to Congress, because Hall has bought it up to do so. Hall is the controller of that paper for this canvass. He has paid for this privilege, and of course, we hold that he sanctioned the following epithets which were applied to the editor of the Register in its issue of September 26th, viz: "Inconsistency," "dishonesty," "demagoguery," "lunacy." And in another article, in speaking of us: "Ye editor is certainly drunk, crazy, or a fool," and that we are not fit to occupy a seat in a respectable gentleman's parlor." Now this is harsh language toward us, and without a cause. It is just such language as might be expected from the unprincipled, hiring editor of the Journal and pliant tool of John Hall. We have endeavored to so conduct this canvass, as not in any way to refer to Mr. Hall other than upon the principles of the party in whose interest he is running as a candidate for Congress. We have no desire now to say anything whatever in regard to his private life; but if he permits this hiring to again make a personal attack upon us through the columns of the Journal, we will consider it as an invitation to do so, and will pour hot shot into him. So far we have only shown the inconsistencies of Mr. Hall's "Address to the voters of this District," and of his subsequent published letters; and having successfully done that, we had concluded to leave the old gentleman pass quietly along the remainder of the campaign, because we did not believe, nor do we now believe, that he can carry a majority in one single county in the Third Congressional District.

Remember that both Reynolds and Bumgarner, voted to strike the word white out of our jury law, in the last Legislature, that negroes might be placed on the juries of our county, along with white men.

Remember that no white man can afford to vote for Republican candidates, for any office of a political nature. That party is in favor of mixed schools,—that is putting negroes in our white schools.

Democrats of Mason should make a sure thing of big majorities for their candidates. This can only be done by every voter of them going to the polls and depositing their ballots; staying at home won't do it.

Every vote cast in opposition to the Democratic nominees, is a vote to satisfy or endorse the most abominable of all meanness, the civil rights bill.

Remember that every vote cast for an independent candidate is a vote for the Radical party, and an endorsement of all the infamies of that party for the last eight years.

Remember that both Reynolds and Bumgarner, took \$80, from the State Treasury, for the twenty days they were at home during the holidays. Remember that it was downright stealing.

Remember that Reynolds drew mileage for 156 miles, when he was only entitled to 120 miles.

When Radicals tell you they are not in favor of the civil rights bill, you can make up your mind that they are not telling the truth.

Remember that the Radical party, knowing they could muster no strength, in this county or district, have prevailed upon a new Demagogue, to become candidates for the Senate, Congress and House of Delegates.

Thos. Ferrell, the Democratic candidate for State Senator is a native born West Virginian.

J. L. McLean, the Radical candidate, is a mere adventurer, a carpet-bagger, who has been but a few years in the State and who came here to dispossess a number of our citizens, of their property, which he has done, and is now doing.

MY TRIP.

Editor Register:

I had an invitation to take a ride the other day from my friend, J. J. B. B. Esq., of Brookport, New York, traveling agent for Briggs & Bro., Rochester, N. Y. The day was pleasant, and feeling the need of a little fresh air and recreation, I accepted the invitation. About 8 A. M. we started up the Ohio river, on the West Virginia side, in a buggy. My genial companion discoursed good music from an instrument called the French Harp, and with such force that the natives would stare at us with wonder. No doubt they imagined it was the Point Pleasant Brass Band. The ride to Mason City was delightful. The farmers through the country are harvesting their corn and getting ready to sow their wheat. At West Columbia we stopped a few minutes to transact some business, then proceeded on our way to Mason City, where we arrived just in time for dinner. Here we met our old friend, Prof. W. J. Kenny, of Point Pleasant, who extended us an invitation to visit the Mason City Public School, of which he is Principal. It has never been our fortune to visit a more orderly and well conducted school. Prof. Kenny, it is generally acknowledged, has no superior as an educator in this or any other State. He justly stands at the head of the list. In common with a large majority of his fellow-townsmen, we regard it as a burning shame, that he should be compelled to go from the town where he resides and is a property holder, to a distant place to teach, away from his family, when we have a school at his own home, that demands the services of such a man so much. We here mention the fact that when he was the Principal of the Point Pleasant Graded School, he kept the scholars under perfect control, not allowing them to yell like wild savages upon the streets, or to trespass upon neighboring property. Let us hope, however, that the day is not far distant, when the public school of this place will have so accomplished and experienced a teacher as Prof. Kenny, presiding over it.

Kellogg by his cowardice during the late troubles in New Orleans lost the respect of even the bitterest Radicals in the North.

The yellow fever has made its appearance on the Southern Coast, and it is feared its ravages will be great.

Col. K. V. Whaley, informs us, that owing to the condition of his health, he declines to be considered longer a candidate for Congress. He requests us to return his thanks to his friends who had encouraged him by their promises of support.

From every county in the District comes the cheering intelligence, that the Democrats are rallying as one man, to the support of Hon. Frank Hereford. The indications are that every county in the district will give Mr. Hereford a handsome majority. Let every member of our party in Mason county, do his whole duty by getting out our full vote.

A collision occurred on the Baltimore and Ohio R. R. at Smithton Station, fifty-eight miles east of Parkersburg, on the evening of the 23d. Both engines were badly disabled. The baggage and mail cars of the East bound train caught fire and were consumed. The mail agent—Bradford—perished in the flames and five or six others were quite seriously hurt. Bradford's home was at Columbus, O. He had been married but three months.

Parkersburg has had a fire. The Marietta and Cincinnati Railroad machine shops were burned on the 20th. The fire was the work of incendiaries. The tanks which were built to contain water to be used in case of fire were empty. They had been emptied by the incendiaries to facilitate the fire. It has only been a short time since the car shops of the same company, at Zaleski, were burned down.

Why do the opponents of Hereford for Congress in West Virginia speak of him as "Salary-Grab Hereford" when he was opposed to the bill and appropriated his share of the "Grab" to the public schools of that State? "Why is this?" as Artemus Ward would say? What would his opponent have done if he had been in Hereford's place?—*Staunton Spectator.*

A very pleasant report comes from Vicksburg of the formation of an order of soldiers from the Union and Confederate armies. Heartly good fellowship appears to have been elicited at the preliminary meetings, and the organization of the Order of Blues and Grays seems to have made rapid progress. The men who actually did the fighting have a respect for each other unknown to the Union civilians who took no part in it, and there are no traces in the army of that sectional animosity which politicians find it so often necessary to inflame.—*N. York Tribune.*

The following are the counties in West Virginia which have refused license to sell liquor, namely: Braxton, Calhoun, Clay, for 16 years; Doddridge, Harrison for 10 years; Fayette, Greasburg, except one to White Sulphur, Gilmer for 15 years; Jackson, Jefferson, Lewis, Lincoln, Marion, Monongalia, Marshall, Nicholas, Preston, Randolph, Ritchie for 8 years; Roane, Raleigh, Summers, Tyler, Taylor, Upshur, (never granted one), and Wirt.—Several other counties are believed to have refused license, but the facts are not yet ascertained.—*Exchange.*

DEATH OF GEN J. S. WHEAT.—It is with great regret that we announce this morning the death of Gen. James S. Wheat. This sad event occurred at noon yesterday, and although it has been for a long time anticipated, yet the intelligence will cause a painful shock to the very many friends and acquaintances of the deceased. General Wheat has been confined to his bed during more than a year past, and his disease was long since pronounced incurable, yet he bore his sufferings with remarkable fortitude, and, while patiently awaiting the end, he maintained that cheerfulness and buoyancy of spirits which characterized his disposition when in health.—*Register.*

The Randolph Enterprise publishes the following table:

FROM THE RECORDS.—The School Fund of the State has been increased over \$50,000 since 1871, when the Democrats came into power; every dollar of which is well secured, and not a particle used other than for school purposes. The Radicals in the year 1867 used \$56,558 02; in 1868, 44,190 28; in 1869, \$32,482 18; in 1870, \$60,528 24; in 1871, \$56,490 64 of the School Fund for general State purposes.

Yet the Radicals talk about leaving out National, and carrying on the campaign on State issues.

Too Richmond Dispatch says that a gentleman who recently made a journey from Richmond to the Ohio river and back over the Chesapeake and Ohio railroad, says that the condition of things all along is very cheering. The mining enterprises are of promising results. New plans are steadily maturing, and the developments in the mining region during the year are expected to be extensive. Investments have already been made and improvements begun which must be followed by extensive operations. With regard to iron ore, new and valuable discoveries have been made in localities highly favorable for working and very convenient to coal.

A Mr. Conley, who has been living with his family (wife and three children) on Back street, moved from this place to New Creek on Monday last, and it was supposed had taken all his family with him. Yesterday some of the neighbors ascertained that his wife had been left behind locked up in one of the rooms, where she has been since Monday last without food or drink. When found she was speechless. Up to the present writing we can give no further particulars of this affair.—*Piedmont Independent.*

Wirt county pays her county officials the following salaries for 1874: Prosecuting Attorney, \$300; Sheriff, \$125; Clerk County Court, \$300; Assessor, \$400.

The voters of the county are to decide the question of the alternate method of constructing and keeping roads in repair.

Statistics published in the Union Watchman show that the Radicals left the State "in debt to the school fund \$60,000, and with deficits of appropriation to the public buildings and other objects, amounting to \$77,000, all these have been paid without increasing the taxes, and a balance was left in the Treasury on the 1st day of July, 1874, of \$87,512.54.

Hon. C. F. Scott, of Ritchie, is the Radical candidate for the Senate from the Third District.

COMMISSIONER'S SALE OF REAL ESTATE IN TEAY'S VALLEY, PUTNAM COUNTY.

UNDER and by virtue of a decree of the Circuit Court of Putnam county, West Virginia, rendered on the 23d day of April, 1874, in chancery therein pending, wherein R. N. B. Thompson, and others are complainants and William Grass and others are defendants, I will on the

24th day of September, 1874, between the hours of 9 a. m. and 4 p. m., at the front door of the Court House of said county, proceed to sell at public auction, to the highest bidder, two tracts of land situated in Teay's Valley, Putnam county, containing the one 109 acres, and the other 24 acres, and known as the William Grass farm, and fully set forth and described in the Bill and papers filed in said cause.

TERMS OF SALE: Twenty percent of the purchase money cash in hand and the balance in three equal installments of six, twelve and eighteen months, respectively, taking bonds with good security, bearing interest from the day of sale for the deferred payments, and the title will be obtained as a further security until the purchase money is paid. J. S. W. HOGG, Special Commissioner.

The above sale is postponed until the 20th day of October, 1874. J. S. W. HOGG, oct. 1-4-w. Special Commissioner.

COMMISSIONER'S SALE OF REAL ESTATE IN PUTNAM COUNTY.

Jacob Jelinko and Gustave Jelinko, vs. Fran N. Jones, et al.

UNDER and by virtue of a decree of the Circuit Court of Putnam county, West Virginia, rendered in the above cause on the 21st day of April, 1874, I shall on the

24th day of September, 1874, between the hours of 9 a. m. and 4 p. m., at the front door of the Court House of said county, proceed to sell at public auction to the highest bidder, a tract of land lying and being in said county, containing 58 1/2 acres, and fully described in the Bill and Exhibits in said cause filed.

TERMS OF SALE: One-third of the purchase money cash in hand, balance in two equal installments in six and twelve months, respectively, taking bonds with good security bearing interest from the day of sale, for the deferred payments; and the title to said land will be retained as a further security until the whole of the purchase money is paid. J. S. W. HOGG, Special Commissioner.

The above sale is postponed until the 20th day of October, 1874. J. S. W. HOGG, oct. 1-4-w. Special Commissioner.

COMMISSIONER'S SALE OF REAL ESTATE IN PUTNAM COUNTY.

A. W. Hancley and others vs. The heirs of Levin Dixon and others

UNDER and by virtue of a decree of the Circuit Court of Putnam county, West Virginia, rendered on the 23d day of April, 1874, in the above cause, I shall on the

24th day of September, 1874, between the hours of 9 a. m. and 4 p. m., at the front door of the Court House of said county, proceed to sell at public auction to the highest bidder, a tract of land situated in said county, containing 183 acres, and known formerly as the Loywell tract, and fully set forth and described in the Bill and Exhibits in said cause filed.

TERMS OF SALE: One-third of the purchase money cash in hand, balance in two equal installments in six and twelve months, respectively, taking bonds with good security, bearing interest from the day of sale, for the deferred payments, and the title to said land will also be retained as a further security until the whole of the purchase money is paid. J. S. W. HOGG, Special Com'r. aug. 20-4-w.

The above sale is postponed until the 20th day of October, 1874. J. S. W. HOGG, oct. 1-4-w. Special Commissioner.

LAND SALE IN PUTNAM COUNTY!

BY Virtue of a decree of the Circuit Court of Putnam county, rendered at its April Term, 1874, in the Chancery cause of George W. Cox against R. N. B. Thompson, and others, I shall on the

23d day of October, 1874, at the front door of the Court House of Putnam county, sell at Public Auction to the highest bidder, three several tracts of land belonging to the said R. N. B. Thompson; one tract lying and being in said county, in Teay's Valley, containing two hundred and eleven acres and seventeen poles; one tract of land lying on Clyme's Creek, in said county, containing one hundred acres, and the other on Clyme's Creek, containing twenty three and three-eighths acres, more or less.

TERMS OF SALE: One-third cash in hand and the balance on a credit of six and twelve months, taking bonds with good security for the deferred payments, bearing interest from the day of sale, and the title reserved as further security, therefor. J. S. W. HOGG, Spec'l Com'r. oct. 1-4-w.

TRUST SALE

1,000 acres of land
—NEAR THE—
KANAWHA RIVER!!

IN pursuance of the terms and provisions of a deed of trust executed to the undersigned, Trustee, by Francis A. Guthrie and Sarah J. Guthrie, bearing date the 14th day of April, 1871, and recorded in the (then Recorder's Office) now Clerk's Office of the County Court of Mason County, West Virginia, in Trust Deed Book No. 1, folios 361 and 362, I shall on the

31st day of October, 1874, at the front door of the Court House of Mason County, aforesaid, proceed to sell by way of public auction, to the highest bidder, for cash, the following described tract or parcel of land, situated in said county, containing 1,000 acres, and being a portion of a tract of 1,169 acres assigned to the heirs of Mosby Sheppard, deceased, by the Commissioners appointed in the partition suit of Hannah vs. Hahnman and others, decided in the Circuit Court of Mason County, and designated in said Commissioner's report as lot C and which tract of 1,000 acres is the front portion of said lot C next to Kanawha River, and is fully described in said trust deed to which reference is hereby given, to satisfy a certain bond held by John McCulloch, of said county, executed by the said F. A. Guthrie, bearing date the 14th day of April, 1871, for the sum of eleven hundred and three dollars and fifty cents, and payable twelve months after date, with interest from date, subject to the following credits, to wit: Credit by three hundred dollars paid July the 30th, 1873; and subject to the claim of Stephen D. Whitehead for one forty-second part of the proceeds arising from said sale.

JOHN W. ENGLISH, Trustee. sept. 24-4-w.

ORDER OF ELECTION.

WEST VIRGINIA:

A Ta County Court continued and held for the County of Mason, at the Court House thereof on Wednesday, July 23d, 1874, for the transaction of police and fiscal business.

A petition having been heretofore presented to the Court, signed by over one hundred voters of this county praying for the adoption of the Alternate Method of Constructing and keeping in Repair the County Roads as provided in Chapter one hundred and eighty-two of the acts of 1873-73.

It is, thereupon ordered that the said alternate method of constructing and keeping in repair the county roads of Mason County, be submitted to the voters of said county for adoption or rejection, at the ensuing election for Delegates to the Legislature on the second Tuesday of October next. The persons voting for the adoption of the said alternate method, shall have written or printed upon his ballot the words: "For adoption of the Alternate Method of Constructing and keeping in Repair the County Roads." And the person voting against the adoption of said method shall have written or printed upon his ballot, the words: "For rejection of the Alternate Method of Constructing and keeping in Repair the County Roads."

It is further ordered that a copy of this order be published in the newspapers of this county until the day of election; and also that chap. 182 of the acts of 1873-3 be published in the newspapers of this county for two weeks. And it is ordered that the Clerk have the proper ballots prepared. Teste: E. KIMBERLING, Clerk. august 13-4-w.

WEST VIRGINIA:

A T Rules held in the Clerk's Office of the Circuit Court of Mason County, in the month of September, 1874.

Reman Messenger, Plaintiff, vs. R. S. Brown, E. H. Wells, B. T. Wells, Emily M. Moore, George Moore, Calvin M. Moore, Administrator of the estate of Morgan Moore, deceased, and W. P. L. Neale, Executor of the estate of Lewis B. Messenger, deceased, and W. P. L. Neale, Defendants. In Chancery.

The object of this suit is to set aside and hold for naught, a deed from Lewis B. Messenger, et al., to the said B. T. Wells, and also a deed made by the said B. T. Wells to Emily M. Moore, and also to collect the balance of the purchase money due the plaintiff on the lands in the bill mentioned.

And it appearing by affidavit filed with the papers in this cause that the defendant, R. T. Wells, is a non-resident of this State, it is ordered that the said B. T. Wells, do appear here within one month after the first publication of this order, and do what is necessary to protect his interest in this suit. Teste: CHAS. B. WAGGENER, Clerk. Simpson, p. q. [Sept. 10-4-w.]

WEST VIRGINIA:

A T Rules held in the Clerk's Office of the Circuit Court of Mason county, in the month of September, 1874.

O. G. Loomis, Plaintiff, vs. J. L. Brownell, Def't. In Chancery. The object of this suit is to attach the estate of the defendant, J. L. Brownell, and sell the same to satisfy the claim of the plaintiff, O. G. Loomis, amounting to the sum of \$6700 the amount due and owing to the said plaintiff, from the said defendant for services rendered the said J. L. Brownell, by the said O. G. Loomis, in the county of Mason, and State of West Virginia.

And it appearing by affidavit filed with the papers in this cause, that the said J. L. Brownell is a non-resident of this State, it is ordered that he do appear here within one month after the first publication of this order and do what is necessary to protect his interest in this suit. Teste: CHAS. B. WAGGENER, Clerk. Howard & Guthrie, Sols. [Sept. 10-4-w.]

WEST VIRGINIA:

A T Rules held in the Clerk's office of the Circuit Court of Mason county, in the month of September, 1874.

John McComb, Plaintiff, vs. Jeremiah Smith and Sarah Price, Defendants. In Chancery. The object of this suit is to cancel the mortgage given by the defendant, Jeremiah Smith, to the plaintiff, Sarah Price, on the real estate in the complainant's bill mentioned; and also to attach and subject said real estate to the payment of the plaintiff's claim, amounting to the sixty-six dollars and eighty cents, and the interest thereon.

And it appearing by affidavit filed with the papers in this cause, that the said defendants are non residents of the State of West Virginia, it is ordered that they do appear here within one month after the first publication of this order, and do what is necessary to protect their interest in this suit. Teste: CHAS. B. WAGGENER, Clerk. Simpson, p. q. [Sept. 10-4-w.]

WEST VIRGINIA:

A T Rules held in the Clerk's Office of the Circuit Court of Mason county in the month of September, 1874.

Hovess Baker, Plaintiff, vs. J. L. Brownell and Angerona Brownell D'Is. In Chancery. The object of this suit is to foreclose a mortgage executed by the defendants to the plaintiff on the 26th day of April, 1873, on six hundred and thirty-four and one-half acres of land lying in the county of Mason, on the waters of Thirteen Mile Creek, and on personal property on said land at that time, consisting of horses, cattle and saw mill and fixtures, and other personal property, for the payment of ten thousand dollars, by bond executed by the defendant J. L. Brownell, to the said Hovess Baker, with seven per cent. interest from the date thereof, dated the 26th day of April, 1874.

And it appearing by affidavit filed with the papers of this cause, that the said J. L. Brownell is a non-resident of the State of West Virginia, it is ordered that he do appear here within one month after the first publication of this order and do what is necessary to protect his interest in this suit. Teste: CHAS. B. WAGGENER, Clerk. Tomlinson & Tolsley, Sols. Sept. 10-4-w.